

**Minutes**  
**King County Rural Forest Commission**  
**January 16, 2001**  
**Mercerview Community Center**

*Commissioners present:* Jean Bouffard, Doug McClelland, Bill Kombol, Andrew Schwarz, Ken Konigsmark, Fred McCarty

*Commissioners absent:* Gordon Bradley, Rudy Edwards, Steve Ketz

*Exofficio members:* Connie Blumen, Steve Boyce

*Staff:* Kathy Creahan, Krist McClelland, Benj Wadsworth

*Guests:* Sue Kaufman, Dave Warren

The meeting was called to order at 10:00 am.

**Minutes Approval**

- Motion 1-101 “To adopt the October 17, 2000 minutes as written.” Moved, seconded and tabled for further review.

Fred McCarty questioned his statement regarding Bill Kombol’s conflict of interest. Benj will check the tapes.

**Chair Report**

Jean stated that she did some research into the conflict of interest issue that came up at the November meeting. She has written a letter to Cathy Clemens, staff to the Ethics Board, asking her if there was a conflict of interest and if so, what are the appropriate sanctions, and what are the obligations of the Commission to address the issue? She will report back to the Commission when she gets a response.

Jean suggested that the Commission should spend some time at the Feb meeting setting goals for the coming year. She asked Commissioners to give some thought to what they would like to accomplish and come prepared to discuss the matter. She also reminded the Commission that her term as chair is coming to an end and suggested that the Commission nominate officers at the Feb meeting and vote in March.

## **Staff Report**

Benj told the Commission that the forestry program has been required by Council to develop a three-year work program. Staff will be looking to the Commission for advice on the work plan.

The 1999 Forest Monitoring Report is complete. The Report contains a comparison of parcel distribution in the Rural Forest District in 1996 and 1999. Five hundred fifteen new lots under 17.5 acres have been created since 1996. The average lot size in the RFD has dropped from 16.2 to 13.8 acres. The report also contains a thorough summary of the current parcel and ownership status in the RFD and the FPD.

Ken Konigsmark asked if staff was planning to present the monitoring report to Council. He feels that it is important that Council hear the information. He suggested that the Commission could help set up a presentation. Benj will look into the best way to get the report in front of Council.

Fred McCarty asked if the data in the report would be made available to the WRIA planners. Benj responded that the report had been distributed to all of the WRIA groups and includes an appendix that analyzes the data by watershed.

Fred asked about an actual tree cover analysis. Staff is hoping to do one this year, as there is now 2000 imagery available. Kathy commented that staff had recently received the American Forest Puget Sound Regional Ecosystem Analysis data clipped for King County.

Connie Blumen asked if the report addressed any regulations that have changed to help conserve forestland. Benj responded that there had not been any significant changes, but that the 1998 report did discuss the effects of the amendment to Title 19 that prohibits lot segregation that conflicts with existing zoning.

Bill Kombol asked how much property is not enrolled in the Current Use programs. The conclusion to the report mentions the percentage of properties that are enrolled, 41% in the RFD and 95% in the FPD.

Benj distributed the 2000 Annual Activities Report (attached) prepared for the Executive Office. He commended the Commission on having been effective in making recommendations to the Comp Plan. The Comp Plan should be adopted on Feb 5. There is a meeting of the Committee of the Whole on Jan 29.

The Forest Outreach Network met on Dec 12. The flier is almost complete and was approved by all the groups present. Kristi McClelland and Benj presented a revised

version of the slideshow, which is almost complete. They will be taking it out to the public hopefully in the next couple of months.

Forestry staff recently convened the first meeting of the unofficially named Street of Streams project, an effort to initiate an environmentally friendly residential development. Staff members from several sections within the KC Department of Natural Resources are involved. Those present concluded that it would be smart to start small and look for a 20-acre landowner who intends to short-plat. Discussion ensued regarding water access. Kathy explained that at most six houses are allowed to use one well.

Benj distributed financial disclosure forms for 2001.

Ken introduced the new WADNR publication "Changing Our Water Ways." Copies are available by calling 360-902-1724. Doug McClelland will bring some copies to the next meeting.

Jean asked about the DDES rural design project. Steve Boyce replied that it is underway. Mary Davis at DDES is the lead on the project. Steve will keep the Commission posted. Jean suggested inviting someone to present at the Feb meeting. Andy Schwarz suggested that the Commission should write a letter asking to be involved in the development of design standards. Jean suggested writing a letter to point out the issue of fragmentation.

Jean introduced Sue Kaufmann, an FPD landowner between Black Diamond and Enumclaw, who is attending the meeting as a guest.

### **Process for Removing Land from the FPD**

Sue Kaufman asked why the Commission is addressing the issue of removing land from the FPD. Jean explained that there had been a number of proposed amendments to the Comp Plan involving the removal of lands from the FPD. Benj added that the Commission had been asked by Councilmember Irons to develop criteria for making sound decisions on this matter. Ken commented that the real issue is that landowners in the FPD are able to have their land moved into the Rural Area by lobbying Council. He feels that is not a good process. Bill Kombol commented that R-218, the proposed policy that calls for a sub-area planning process in order to remove lands from the FPD and only to recognize areas with historical retail-commercial uses, addresses only a specific situation, a proposal by a small landowner in Greenwater. He feels that a better policy would allow removals when the existing lot pattern is more conducive to rural development. He thinks that the 1988 establishment of the FPD was imperfect and should therefore be reevaluated. He feels that it is difficult to practice forestry on small lots in the "forest production" sense. Doug McClelland pointed out that there might be land that is not in the FPD that should be in light of today's concern with habitat values, and particularly ESA. He

suggested that there needs to be a strategy involving incentives that puts land back into the FPD.

Sue Kaufman commented that there is no procedure for a group of landowners to remove their land from the FPD. Ken asked what exactly Sue wants to accomplish by removing her land from the FPD. Doug stated that if someone is not trying to divide their lot, there is no difference between being in the FPD or the Rural Area. Sue argued that her house is considered a non-conforming use by banks, and it is therefore difficult for her to get a bank loan. She suggested that perhaps land removed from the FPD could be zoned 1 house per 20 acres in the Rural Area. Ken suggested that one of the criteria could be that land removed from the FPD could not be upzoned unless the owner purchased the additional density through the TDC program. Kristi McClelland commented that the real issue is the gradual creep of small lots that occurs when everyone justifies subdividing their lot based on the lot size of the surrounding area.

Bill Kombol commented that you cannot deny the reality that there are small lots in the FPD. In 1988, the County could have prohibited the creation of small lots in the FPD, but they didn't. Doug explained that the formation of the FPD was a very thoughtful process involving a great deal of negotiation, and many lands that could justifiably have been part of the FPD were put in the Rural Area.

Sue Kaufman complained that because she is on the edge of the FPD, her land has a very high assessment. She appealed the assessment, but to no avail. She feels that she deserves some form of benefit for conserving her forestland as a buffer between the FPD and the residential development in the Rural Area. Fred agreed that landowners who are stewarding their land should receive a greater tax benefit. Ken countered that theoretically any landowner could argue that they should not pay property taxes based on the fact that they are being good stewards.

Kathy summarized that the Timberland and Forestland programs are state programs whereas the forestland category of PBRs is a county program. She suggested that it might be possible to lobby the state to change the way that parcels under the Timberland and Forestland programs are assessed so that the built portion of the lot is calculated as a percentage of the total lot rather than as a separate, saleable parcel.

Jean suggested revisiting the issue at the February meeting. Doug asked that staff provide the Commission with a better understanding of the different Current Use Taxation programs. Kathy will plan to summarize at the next meeting what the County has done with the PBRs programs and what options there are for making the programs more desirable to forest landowners. Jean asked if there is a mechanism whereby a landowner could receive a substantial tax break in return for permanently preserving the forested part of the property.

### **Large Institutional Uses in the Rural Area**

Doug summarized that allowing institutional uses in the Rural Area to exceed the proposed 10,000 sq. ft. building limit in return for permanently preserving the surrounding forestland is basically another form of incentive that substitutes for the lack of funding to purchase land or development rights.

Bill emphasized that in King County there is no clear mechanism for valuing forestland as forestland rather than as land to be converted for other uses.

Ken summarized that the proposal is a way of doing density transfers within the rural area. Discussion ensued that a proposal like this has impacts on other aspects of the rural area such as traffic and rural character. Ken suggested that the Commission could recommend a proposal whereby the amount of land to be preserved would be related to the amount of traffic generated by the institutional use. Discussion ensued regarding the Commission's role in evaluating traffic impacts as part of developing a proposal. Doug asked for a summary of Council discussions in the coming weeks regarding the Comp Plan.

### **Next meeting**

All agreed to change the date of the next meeting to Thursday, February 15. The meeting will take place at the Eastgate Public Health Center.